

SENATE BILL 2814

By Black

AN ACT to amend Tennessee Code Annotated, Title 6;
Title 7 and Title 68, Chapter 221, relative to
garbage and refuse collection and disposal service
fees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-82-312, is amended by designating all of the existing language in subsection (a) as subdivision (a)(1) and by adding the following as a new subdivision:

(2) Any utility district, whether created pursuant to general law or uncodified public chapter, may enforce the payment of fees charged for garbage and refuse collection and disposal services by filing an action in the same manner and with the same penalties and interest attached as provided for the enforcement of unpaid taxes pursuant to title 67, including the sale on execution of such property as provided in title 26, chapter 5, and the redemption provisions of title 66, chapter 8. Such action may be taken only once every calendar year by the utility district for unpaid garbage and refuse collection and disposal service fees. The utility district shall be required to give notice to the property owner, if different from the utility user, not less than ninety (90) days prior to the filing of any action that would include levying on the real property. Such notice shall be mailed to the last known address of the property owner as contained on the tax records of the county where the property is located and shall include the amount of the unpaid fee for garbage and refuse collection and disposal services, together with penalties and interest. The notice shall also contain a statement to the effect that, unless the payments are brought up to date, a lien shall attach to the property and an action shall be filed pursuant to of title 67.

SECTION 2. Tennessee Code Annotated, Section 7-82-312, is further amended by deleting subsections (b) and (c) in their entireties and substituting the following language:

(b) The utility district shall bear the reasonable costs incurred by a property owner in defending such an action due to an error in the records or fees of the utility district for the provision of such sewer or wastewater disposal utility services or garbage and refuse collection and disposal services.

(c) For purposes of subdivision (a)(1) and subsection (b), "utility district" includes the Reelfoot Lake utility and planning district created by chapter 222 of the Public Acts of 1983.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.